

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA, ) CR. NO. 02-00411 ACK  
                              )  
Plaintiff,                )  
                              )  
vs.                        ) FILED IN THE  
                              ) UNITED STATES DISTRICT COURT  
                              ) DISTRICT OF HAWAII  
RICK K. VO,              )  
                              )  
Defendant.                ) FEB 18 2004  
                              )  
                              ) at 2 o'clock and 10 min. AM,  
                              ) WALTER A.Y.H. CHINN, CLERK

ORDER GRANTING MOTION TO DISMISS COUNT I

On February 11, 2004 Defendant filed a Motion to Dismiss Count I, involving a conspiracy charge. On May 27, 2003, a jury convicted Defendant of Count II, involving a charge of aiding and abetting in possession with intent to distribute in excess of 50 grams of methamphetamine. There was a declaration of a mistrial as to Count I. Defendant was sentenced as to Count II on December 15, 2003, with Count I still pending with no trial dates set. On February 17, 2004 the United States filed its response, stating that it does not oppose Defendant's Motion to Dismiss Count I. The

Court finds that a hearing on the motion is not necessary.

For good cause shown, Count I is dismissed with prejudice.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, FEB 18 2004.

*Asa C Kay*  
United States District Judge

USA V. RICK K. VO; CR. NO. 02-00411 ACK; ORDER GRANTING  
MOTION TO DISMISS COUNT I